UNITED NATIONS

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Security Council

PROVISIONAL

S/PV.3064
2 April 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND AND SIXTY-FOURTH MEETING

Held at Headquarters, New York,
on Thursday, 2 April 1992, at 4.30 p.m.

President:	Mr. MUMBENGEGWI	(Zimbabwe)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. JESUS
	China	Mr. JIN Yongjian
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	Hungary	Mr. BUDAI
	India	Mr. BELL
	Japan	Mr. HATANO
	Morocco	Mr. BENJELLOUN-TOUIMI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Venezuela	Mr. ARRIA

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92-60465 8546V (E)

The meeting was called to order at 4.45 p.m.

EXPRESSION OF THANKS TO THE RETIRING PRESIDENT

The PRESIDENT: As this is the first meeting of the Security Council for the month of April, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Ambassador Diego Arria, Permanent Representative of Venezuela to the United Nations, for his service as President of the Security Council for the month of March 1992. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Arria for the great diplomatic skill and unfailing courtesy with which he conducted the Council's business last month.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 2 APRIL 1992 FROM THE PERMANENT REPRESENTATIVE OF VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/23771)

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the request contained in the letter dated 2 April 1992 from the Permanent Representative of Venezuela to the United Nations, document S/23771.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council strongly condemns the violent attacks on and destruction of the premises of the Embassy of Venezuela in Tripoli that took place today. The fact that these intolerable and extremely grave events have been directed not only against the Government of Venezuela but also against and in reaction to Security Council resolution 748 (1992) underlines the seriousness of the situation.

(The President)

"The Council demands that the Government of the Libyan Arab Jamahiriya take all necessary measures to honour its international legal obligations to ensure the security of the personnel and to protect the property of the Embassy of Venezuela and of all other diplomatic and consular premises or personnel present in the Libyan Arab Jamahiriya, including those of the United Nations and related organizations, from acts of violence and terrorism.

"The Council further demands that the Libyan Arab Jamahiriya pay to the Government of Venezuela immediate and full compensation for the damage caused.

"Any suggestion that those acts of violence were not directed against the Government of Venezuela but against and in reaction to resolution 748 (1992) is extremely serious and totally unacceptable."

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 4.50 p.m.

UNITED NATIONS

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Security Council

PROVISIONAL

S/PV.3065
4 April 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND AND SIXTY-FIFTH MEETING

Held at Headquarters, New York,
on Saturday, 4 April 1992, at 1.30 a.m.

President:	Mr. MUMBENGEGWI	(Zimbabwe)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. BARBOSA
	China	Mr. JIN Yongjian
	Ecuador	Mr. MONTALVO
	France	Mr. MERIMEE
	Hungary	Mr. BUDAI
	India	Mr. VYAS
	Japan	Mr. HATANO
	Morocco	Mr. BENJELLOUN-TOUIMI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Venezuela	Miss TRUJILLO

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92-60475 8549V (E)

The meeting was called to order at 1.30 a.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

The PRESIDENT: I should like to inform the Council that I have received a letter dated 3 April 1992 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/23781 and reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite Dr. Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the current consideration by the Security Council of the item entitled 'The situation in the occupied Arab territories'."

The request is not made pursuant to rule 37 or rule 39 of the the provisional rules of procedure of the Security Council, but if approved the Council would invite the Permanent Observer of Palestine to participate, not under rule 37 or rule 39, but with the same rights of participation as those conferred by rule 37.

Does any member of the Security Council wish to speak on this request?

Mr. PICKERING (United States of America): The United States, as it normally does when this question is considered, will request a vote on the proposal before the Security Council, and the United States will vote against it on two grounds.

First, we believe that the Council does not have before it a valid request to speak. Secondly, the United States maintains that the representative of the Palestine Liberation Organization should be granted

(Mr. Pickering, United States)

permission to speak only if the request complies with rule 39 of the provisional rules of procedure.

It is unwarranted and unwise for the Council to break with its own practice and rules in this regard. As all members of the Council are aware, it is a long-established practice that Observers do not have the right to speak in the Security Council upon their own request. Rather, a request must be made on the Observer's behalf by a Member State. My Government sees no justification for any departure from that practice.

Further, there is nothing in resolutions adopted by the Assembly that would warrant a change in Security Council practice. It is also clear that the General Assembly resolutions are, of course, not binding upon the Security Council.

General Assembly resolution 43/177, which purported to change the designation of the PLO Mission, did so

> "without prejudice to the observer status and functions of the Palestine Liberation Organization within the United Nations system, in conformity with relevant United Nations resolutions and practice".

That resolution does not constitute recognition of any State of Palestine. Like many other Members of the United Nations, the United States does not recognize such a State.

The United States has consistently taken the position that under the provisional rules of procedure of the Security Council the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39. For four decades, the United States has supported a generous interpretation of rule 39, and it would not have objected had this matter been appropriately raised under rule 39. We are, however, opposed to special and ad hoc departures from orderly procedure.

(Mr. Pickering, United States)

The United States consequently opposes granting to the Palestine Liberation Organization the same rights to participate in the proceedings of the Security Council as if that organization were representing a Member State of the United Nations. This point is, of course, in no way contradicted, but is indeed reinforced, by General Assembly resolution 43/177.

We believe in listening to all points of view, but not in a manner that requires violations of our rules of procedure. In particular, the United States does not agree with the practice of the Security Council that recently appears selectively to try to enhance the prestige of those who wish to speak in the Council through a departure from our rules of procedure. We consider this practice to be without legal foundation and to constitute, indeed, an abuse of our rules.

For all these reasons, the United States requests that the terms of the proposed invitation be put to the vote. Of course, the United States will vote against this proposal.

The PRESIDENT: If no other member of the Council wishes to speak at this stage, I shall take it that the Council is ready to vote on the request by Palestine.

It is so decided.

A vote was taken by show of hands.

In favour: Austria, Cape Verde, China, Ecuador, India, Japan, Morocco, Russian Federation, Venezuela, Zimbabwe

Against: United States of America

Abstaining: Belgium, France, Hungary, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT: The result of the voting is as follows: 10 votes in favour, 1 against and 4 abstentions. The request has been approved.

At the invitation of the President, the representative of Palestine took a place at the Council table.

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of members of the Council to the following documents: S/23721, letter dated 16 March 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General; and S/23740 and S/23770, letters dated 20 March and 1 April 1992, respectively, from the Chargé d'affaires ad interim of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General.

Members of the Security Council have received photocopies of a letter dated 1 April 1992 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the President of the Security Council. A similar letter has been addressed to the Secretary-General and will be issued as a document of the Security Council under the symbol S/23782.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Gaza Strip, especially by the current serious situation in Rafah in which several Palestinians have been killed and many more injured.

"The members of the Security Council condemn all these acts of violence at Rafah. They urge maximum restraint in order to bring the violence to an end.

(The President)

"The members of the Security Council urge Israel to abide at all times by its obligations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and to respect and to act in accordance with the relevant resolutions of the Security Council. The members of the Security Council are concerned that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive, just and lasting peace are under way.

"The members of the Security Council request the Secretary-General to use his good offices, in accordance with resolution 681 (1990), regarding this situation concerning Palestinian civilians under Israeli occupation."

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.45 a.m.

UNITED
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Security Council

PROVISIONAL

S/PV.3066
7 April 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND AND SIXTY-SIXTH MEETING

Held at Headquarters, New York,
on Tuesday, 7 April 1992, at 12 noon

President:	Mr. MUMBENGEGWI	(Zimbabwe)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. JESUS
	China	Mr. JIN Yongjian
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	Hungary	Mr. ERDOS
	India	Mr. GHAREKHAN
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States	Mr. PICKERING
	Venezuela	Mr. ARRIA

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92-60481 8551V (E)

The meeting was called to order at 12.40 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 743 (1992) (S/23777)

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Yugoslavia in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Djokic (Yugoslavia) took a place at the Council table.

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/23777, containing the text of a report of the Secretary-General pursuant to Security Council resolution 743 (1992). Members of the Council also have before them document S/23788, which contains the text of a draft resolution prepared in the course of the Council's consultations.

I should like to draw attention to the following revisions to the draft resolution contained in document S/23788 in its provisional form:

The following words should be added at the end of the fourth preambular paragraph, before the comma:

(The President)

"and the continuing contacts by the Secretary-General with all the parties and others concerned to stabilize the cease-fire;".

Renumber operative paragraph 6 as operative paragraph 2 and renumber the remaining paragraphs accordingly.

In the renumbered paragraph 2, replace the words "the Force" by "UNPROFOR".

It is my understanding that the Council is ready to proceed to the vote on the draft resolution contained in document S/23788, as orally revised in its provisional form. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour: Austria, Belgium, Cape Verde, China, Ecuador, France, Hungary, India, Japan, Morocco, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zimbabwe

The PRESIDENT: There were 15 votes in favour. The draft resolution, as orally revised in its provisional form, has been adopted unanimously as resolution 749 (1992).

The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

The meeting rose at 12.45 p.m.

UNITED
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Security Council

PROVISIONAL

S/PV.3067
10 April 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND AND SIXTY-SEVENTH MEETING

Held at Headquarters, New York,
on Friday, 10 April 1992, at 11 a.m.

President:	Mr. MUMBENGEGWI	(Zimbabwe)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. JESUS
	China	Mr. JIN Yongjian
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	Hungary	Mr. BUDAI
	India	Mr. GHAREKHAN
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States	Mr. PICKERING
	Venezuela	Mr. BIVERO

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92-60507 8566V (E)

The meeting was called to order at 1 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN CYPRUS

REPORT OF THE SECRETARY-GENEARL ON HIS MISSION OF GOOD OFFICES IN CYPRUS (S/23780)

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on his mission of good offices in Cyprus, document S/23780.

Members of the Council also have before them document S/23797, containing the text of a draft resolution which was prepared in the course of the Council's consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour: Austria, Belgium, Cape Verde, China, Ecuador, France, Hungary, India, Japan, Morocco, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zimbabwe

The PRESIDENT: There were 15 votes in favour. The draft resolution has therefore been adopted unanimously as resolution 750 (1992).

(The President)

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.05 p.m.

UNITED
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Security Council

PROVISIONAL

S/PV.3068
10 April 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND AND SIXTY-EIGHTH MEETING

Held at Headquarters, New York,
on Friday, 10 April 1992, at 6.20 p.m.

President:	Mr. MUMBENGEGWI	(Zimbabwe)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. JESUS
	China	Mr. JIN Yongjian
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	Hungary	Mr. BUDAI
	India	Mr. MENON
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Venezuela	Mr. ARRIA

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92-60513 8567V (E)

The meeting was called to order at 6.20 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 743 (1992) (S/23777)

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council, alarmed by reports on rapid deterioration of the situation in Bosnia Herzegovina, reiterates the appeal in Security Council resolution 749 (1992) to all parties and others concerned in Bosnia Herzegovina to stop the fighting immediately. It invites the Secretary-General to dispatch urgently to the area his Personal Envoy to act in close cooperation with representatives of the European Community whose current efforts are aimed at stopping the fighting and at bringing about a peaceful solution to the crisis, and to report to the Council."

The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Council will remain seized of the matter.

The meeting rose at 6.25 p.m.